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 St. Paul Fire and Marine Insurance Company

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CENTEX HOMES,)	Case No.: 2:17-cv-02407-JAD-VCF
)	
Plaintiff,)	STIPULATION AND ORDER
)	TO WITHDRAW MOTIONS FOR GOOD
vs.)	FAITH SETTLEMENT AND
)	CORRECTION/CLARIFICATION AND TO
ST. PAUL FIRE & MARINE INS. CO., et al.)	VACATE PRIOR ORDER
)	
Defendants.)	
)	ECF Nos. 250, 267, 269, 277
)	
and related matter(s).)	
)	

Third Party Plaintiff St. Paul Fire & Marine Ins. Co. ("St. Paul") and Third Party Defendant First Specialty Ins. Corp. ("FSIC") stipulate and agree by and through counsel as follows:

WHEREAS, this matter is an insurance coverage action in which Plaintiff Centex Homes ("Centex") seeks reimbursement from insurers for sums Centex alleges to have incurred in connection with an underlying construction defect matter;

WHEREAS, FSIC previously reached a direct settlement with Centex;

WHEREAS, in connection with this settlement, FSIC filed a Motion for Good Faith Settlement Determination ("Motion") [Dkt. No. 250];

WHEREAS, St. Paul filed an Opposition to the Motion while FSIC filed a Reply [Dkt. Nos. 255, 258];

WHEREAS, this Court issued a March 16, 2020 Minute Order ("Minute Order") granting the Motion on the basis both that the Motion was unopposed and that the settlement was between

1 St. Paul and FSIC [Dkt. No. 267];

2 WHEREAS, FSIC filed a Motion for Correction and/or Clarification ("Correction Motion")
3 [Dkt. No. 269] on the basis the Minute Order overlooked the fact that the Motion was opposed and
4 that FSIC had settled with Centex and not St. Paul;

5 WHEREAS, St. Paul and First Specialty have now reached a settlement conditioned on the
6 following:

- 7 1. FSIC's Motion for Good Faith Settlement Determination [Dkt. No. 250] is withdrawn;
8 2. FSIC's Motion for Correction and/or Clarification [Dkt. No. 269] is withdrawn; and
9 3. The Court's Minute Order of March 16, 2020 [Dkt. No. 267] is vacated;

10 WHEREFORE, St. Paul and FSIC stipulate and agree to the withdrawal of both the Motion
11 and the Correction Motion as well as the vacating of the Minute Order.

12 IT IS SO AGREED.

13 Dated: August 4, 2020

14 MORALES FIERRO & REEVES

THE GRAD LAW FIRM

15
16 By /s/ William C. Reeves
17 William C. Reeves
18 Morales Fierro & Reeves
Attorneys for St. Paul

By /s/ Laleaque Grad
Laleaque Grad
The Grad Law Firm
Attorneys for FSIC

19 ORDER

20 The Court, having considered the stipulation of the parties and good cause appearing, orders
21 as follows:

22 The Motions for Good Faith Settlement Determination [Dkt. No. 250] and for Correction
23 and/or Clarification [Dkt. No. 269] are withdrawn at the parties' request and the Minute Order filed
24 on March 16, 2020 [Dkt. No. 267] is vacated.

25 IT IS SO ORDERED.

26 Dated: August 5, 2020

27 
28 _____
UNITED STATES DISTRICT JUDGE